

**DECLARATION UNDER 37 CFR §1.132**RECEIVED  
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DEC 18 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Examiner Karkhanis:

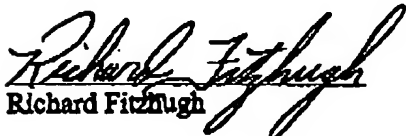
I, Richard Fitzhugh, declare as follows:

1. I have worked in the gaming industry for more than eighteen (18) years, including twelve (12) years for Station Casinos, whose primary business is video poker. In addition, I have been employed as a video poker consultant for Harrah's casino. Currently, I am Corporate Vice-President for Slot Strategy for American Casino Entertainment.

2. Based upon all of my years of experience in the gaming industry generally and the poker industry specifically, I can unequivocally state that the games of video poker and live poker are not at all the same. The explosion in popularity that has occurred with live poker is in large part due to the ability for one player to "bluff" another player. A first player's ability to deceive an opponent into believing that the first player holds cards having a value contrary to their actual value is the critical dramatic element to live poker that is missing from video or slot poker. In video or slot poker, there is no deception and no opponent to deceive. Bluffing is considered by many to be an art form, a skill that raises the game of live poker beyond the video poker's mere game of statistics to a true game of wits. It is for this and other reasons that live poker (whether played in person or online) has reached such a level of popularity beyond video poker.

3. I further declare that all statements made herein are of my own knowledge and all statements made on information or belief are believed to be true; and further that these statements are made with the knowledge that willful and false statements and the like so made are punishable by fine or imprisonment or both under § 1001 of Title 18 of the United States Code and that such willful and false statements may jeopardize the validity of the above-referenced application and any patent issuing therefrom.

FURTHER DECLARANT SAYETH NOT.

  
Richard Fitzhugh

12-18-06  
Date